

**REMARKS**

Claims 1 and 3-22 are pending. Claims 15-22 are allowed. By this Response, claims 1, 4 and 12 are amended and claim 2 cancelled. Reconsideration and allowance based on the above amendments and following remarks are respectfully requested.

**§112, First Paragraph**

The Office Action rejects claims 2, 12 and 13 under 35 U.S.C. §112, first paragraph for lack of enablement. Claim 2 is specifically rejected while claims 12 and 13 are rejected merely due to their dependency upon claim 2. In Response, applicants have cancelled claim 2 and amended claim 12 to depend from claim 1. Accordingly, withdrawal of the rejection is respectfully requested.

**Prior Art Rejections**

The Office Action rejects claims 1-5, 10 and 11 under 35 U.S.C. §103(a) as being unpatentable over Lu (US 5,852,672) in view of Miramonti, et al. (US 6,288,385); claim 8 under 35 U.S.C. §103(a) as being unpatentable over Lu, Miramonti and Bacs, Jr., et al. (US 6,324,347); claim 9 under 35 U.S.C. §103(a) as being unpatentable over Lu, Miramonti and Lo (US 6,269,223) and claim 4 under 35 U.S.C. §103(a) as being unpatentable over Lu, Miramonti and Moreton, et al. (US 5,835,133). These rejections are respectfully traversed.

Lu teaches a three-dimensional motion camera system that obtains a three-dimensional effect using three stereo imaging units 14, 16 and 18 as illustrated in Fig. 1. See column 5, lines 30-42. Within each of the stereo imaging units two camera systems 42 and 44 are separated

from each other along a base line 46 with a projection system 48 placed between the two cameras. See column 5, lines 44-55. The use of the three different stereo imaging units allows for Lu's system to obtain a three-dimensional motion effect.

The Office Action alleges that Lu teaches a controller that controls the capturing section to obtain images at a plurality of viewpoints. Lu's system controls the various cameras positioned at different viewpoints in order to capture images at the different viewpoints. However, Lu's system does not teach or suggest controlling a single capturing section to perform image capturing at different timings and at said plurality of viewpoints by controlling a movement of said lens section from a first position to at least a second position within the single capturing section, as recited in independent claims 1 and 4. Applicants respectfully submit that in embodiments of the present invention, the lens section which is located within the single image capturing device, moves from one position to another in order to capture the plurality of viewpoints. Lu's system does not teach a single image capturing unit in which the lens system moves from one position to another position in order to capture multiple viewpoints.

Further, Miramonti fails to make up for Lu's deficiencies. Miramonti provides a three-dimensional digital scanner in which multiple viewpoints are taken of an image by either the image itself rotating such that a single camera can capture the various viewpoints or by the camera itself rotating around the image subject in order to capture various viewpoints. Miramonti does not teach or suggest an image capturing apparatus in which the lens system moves from one position to another position within the image capturing device itself in order to capture multiple viewpoints.

Further, Bacs, Jr., Lo and Moreton do not provide teachings that remedy the deficiencies of Lo and Miramonti. Therefore, in view of the above, applicants respectfully submit that the combination of Lu and Miramonti together or with any other reference fail to teach or suggest all the features of independent claims 1 and 4 as required. Dependent claims 3 and 5-14 are also distinguishable over the cited art for the above reasons as well as for the additional features they recite. Accordingly, reconsideration and withdrawal of the rejections are respectfully requested.

#### Conclusion

For at least these reasons, it is respectfully submitted that claims 1 and 3 through 22 are distinguishable over the cited art. Favorable consideration and prompt allowance are earnestly solicited.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Chad J. Billings (Reg. No. 48,917) at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

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Respectfully submitted,

By

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